

**IN THE UNITED STATES COURT
FOR THE DISTRICT OF NORTH DAKOTA**

Breanna Berndsen, Kristen Elizabeth, Joyce)	
Campbell, Charly Dahlquist, Taylor Flaherty,)	
Ryleigh Houston, Anna Kilponen, Rebekah)	
Kolstad, Sarah LeCavalier, Alyssa MacMillan,)	
Annelise Rice, and Abigail Stanley,)	CIVIL ACTION NO.
)	3:18-CV-125-DLH-ARS
Plaintiffs,)	
)	
v.)	
)	
The North Dakota University System,)	
)	
Defendant.)	
_____)	

**DEFENDANT’S POST-REMAND MOTION TO DISMISS
THE PLAINTIFFS’ COMPLAINT**

Defendant, the North Dakota University System, on behalf of its member institution, the University of North Dakota (“UND”), files this Post-Remand Motion to Dismiss the Plaintiffs’ Complaint. As argued in the attached memorandum of law supporting this Motion, the Plaintiffs’ claims should be dismissed for two reasons. First, the Plaintiffs lack standing to bring suit because their claims are moot. Second, the Plaintiffs have failed to state a plausible claim for relief. For those reasons, this Court should dismiss their claims for lack of subject-matter jurisdiction under Federal Rule 12(b)(1) and for failure to state a claim under Rule 12(b)(6).

Respectfully submitted this 15th day of November, 2021.

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CERTIFICATE OF SERVICE

The undersigned certifies on this 15th day of November, 2021, I served a copy of the foregoing **DEFENDANT’S POST-REMAND MOTION TO DISMISS THE PLAINTIFFS’ COMPLAINT** by filing a copy using the CM/ECF electronic-filing system, which will send an electronic copy to the following attorneys of record:

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